



Council

Wednesday 12 April 2023
2.00 p.m.

Rotherham
Metropolitan
Borough Council 

WELCOME TO TODAY'S MEETING

GUIDANCE FOR THE PUBLIC

The Council is composed of 59 Councillors, who are democratically accountable to the residents of their ward.

The Council Meeting is chaired by the Mayor, who will ensure that its business can be carried out efficiently and with regard to respecting the rights and responsibilities of Councillors and the interests of the community. The Mayor is the Borough's first citizen and is treated with respect by the whole Council, as should visitors and member of the public.

All Councillors meet together as the Council. Here Councillors decide the Council's overall policies and set the budget each year. The Council appoints its Leader, Mayor and Deputy Mayor and at its Annual Meeting will appoint Councillors to serve on its committees.

Copies of the agenda and reports are available on the Council's website at www.rotherham.gov.uk. You may not be allowed to see some reports because they contain private information and these will be marked accordingly on the agenda.

Members of the public have the right to ask questions or submit petitions to Council meetings. A member of the public may ask one general question in person which must be received in writing to the Chief Executive by 10.00 a.m. on the Friday preceding a Council meeting on the following Wednesday and must not exceed sixty words in length. Questions can be emailed to governance@rotherham.gov.uk

Council meetings are recorded and streamed live or subsequently uploaded to the Council's website. At the start of the meeting the Mayor will confirm if the meeting is being filmed. You would need to confirm your wish not to be filmed to Democratic Services. Recording of the meeting by members of the public is also allowed.

Council meetings are open to the public, but occasionally the Council may have to discuss an item in private. If this occurs you will be asked to leave.

FACILITIES

There are public toilets, one of which is designated disabled with full wheelchair access, with full lift access to all floors. Induction loop facilities are also available in the Council Chamber, John Smith Room and Committee Rooms 1 and 2.

Access for people with mobility difficulties can be obtained via the ramp at the main entrance to the Town Hall.

If you have any queries on this agenda, please contact:-

Contact:- Emma Hill, Head of Democratic Services
governance@rotherham.gov.uk

Date of Publication:- **Friday 31 March 2023**

COUNCIL

Wednesday 12 April 2023 at 2.00 p.m.

THE MAYOR (Councillor Tajamal Khan)
DEPUTY MAYOR (Councillor Robert Taylor)

CHIEF EXECUTIVE (Sharon Kemp)

MEMBERS OF THE COUNCIL

ANSTON AND WOODSETTS

BAUM-DIXON, Timothy J.
WILSON, Tracey H
TARMEY, Drew Simon

ASTON AND TODWICK

BACON, Joshua
BARKER, Aaron

AUGHTON AND SWALLOWNEST

PITCHLEY, Lyndsay
TAYLOR, Robert Paul

BOSTON CASTLE

ALAM, Saghir
MCNEELY, Rose M.
YASSEEN, Taiba K.

BRAMLEY AND RAVENFIELD

MILLS, Lewis H.M.
REYNOLDS, Gregory

BRINSWORTH

CARTER, Adam J.
CARTER, Charlotte R.

DALTON AND THRYBERGH

BAKER-ROGERS, Joanna
BENNETT-SYLVESTER, Michael D.P.

DINNINGTON

CASTLEDINE-DACK, Sophie
WHOMERSLEY, Benjamin J.
WOODING, Charlie Andrew

GREASBROUGH

ALLEN, Sarah A.
ELLIOTT, Robert W.

HELLABY AND MALTBY WEST

ANDREWS, Jenny
BALL, Simon A.

HOOBER

BARLEY, Emily J.
LELLIOTT, Denise
ROCHE, David J.

KEPPEL

BROWNE, Tony
CLARK, Maggi
FOSTER, Carole

KILNHURST AND SWINTON (EAST)

CUSWORTH, Victoria
SANSOME, Stuart J.

MALTBY EAST

HUNTER, Lee J.
TINSLEY, Adam J.

RAWMARSH EAST

HUGHES, Rachel E.M.
SHEPPARD, David

RAWMARSH WEST

BIRD, Bob
THOMPSON, Jill

ROTHER VALE

BROOKES, Amy C.
MIRO, Firas

ROTHERHAM EAST

COOKSEY, Wendy
HALEEM, Rukhsana B.
KHAN, Tajamal

ROTHERHAM WEST

AVEYARD, Ben
JONES, Ian P.
KEENAN, Eve

SITWELL

BURNETT, Simon L.
FISHER, David F.
GRIFFIN, Tony

SWINTON ROCKINGHAM

MONK, Gina
WYATT, Ken

THURCROFT & WICKERSLEY

COLLINGHAM, Zachary A.
COLLINGHAM, Thomas R.

WALES

BECK, Dominic E.
HAVARD, Marnie A.

WATH

ATKIN, Alan
COWEN, Sheila A.

WICKERSLEY NORTH

ELLIS, Sue
HODDINOTT, Emma E.
READ, Chris

Council Meeting Agenda

Time and Date:-

Wednesday 12 April 2023 at 2.00 p.m.

Venue:-

Town Hall, The Crofts, Moorgate Street, Rotherham. S60 2TH

1. ANNOUNCEMENTS

To consider any announcements by the Mayor in accordance with Council Procedure Rule 3(2)(ii).

2. APOLOGIES FOR ABSENCE

To receive the apologies of any Member who is unable to attend the meeting.

3. COMMUNICATIONS

Any communication received by the Mayor or Chief Executive which relates to a recommendation of the Cabinet or a committee which was received after the relevant meeting.

4. MINUTES OF THE PREVIOUS COUNCIL MEETING (Pages 13 - 73)

To receive the record of proceedings of the ordinary meeting of the Council held on 1 March 2023 and to approve the accuracy thereof.

5. PETITIONS

To report on any petitions received by the Council received by the Council and receive statements in support of petitions in accordance with Petitions Scheme and Council Procedure Rule 13.

6. DECLARATIONS OF INTEREST

To invite Councillors to declare any disclosable pecuniary interests or personal interests they may have in any matter which is to be considered at this meeting, to confirm the nature of those interests and whether they intend to leave the meeting for the consideration of the item.

7. PUBLIC QUESTIONS

To receive questions from members of the public who may wish to ask a general question of the Mayor, Cabinet Member or the Chairman of a

Committee in accordance with Council Procedure Rule 12.

8. EXCLUSION OF THE PRESS AND PUBLIC

Should it be necessary, in the opinion of the Mayor, to consider excluding the press and public from the meeting in relation to any items of urgent business on the grounds that private information is likely to be divulged.

9. LEADER OF THE COUNCIL'S STATEMENT

To receive a statement from the Leader of the Council in accordance with Council Procedure Rule 9.

10. MINUTES OF THE CABINET MEETING (Pages 75 - 85)

To note the minutes of the Cabinet Meeting held on 20 March 2023.

11. NOMINATIONS - MAYOR-ELECT AND DEPUTY MAYOR-ELECT FOR THE 2023-2024 MUNICIPAL YEAR

To consider nominations and approve the Mayor-Elect and Deputy Mayor-Elect for the 2023-24 Municipal Year.

12. OVERVIEW AND SCRUTINY UPDATE - IMPROVING PLACES SELECT COMMISSION (Pages 87 - 99)

To receive an update on the activities of the Council's Overview and Scrutiny bodies in accordance with Council Procedure Rule 14.

13. CABINET RESPONSE TO SCRUTINY REVIEW CULTURAL STRATEGY (Pages 101 - 153)

To note the Cabinet response to the recommendations arising from the scrutiny review of Cultural Strategy.

14. CABINET RESPONSE TO SCRUTINY REVIEW MARKETS: ENGAGEMENT AND RECOVERY (Pages 155 - 182)

To note the Cabinet response to the recommendations arising from the scrutiny review of Markets: Engagement and Recovery.

15. CABINET RESPONSE TO SCRUTINY REVIEW COVID-19 CARE HOME SAFETY (Pages 183 - 206)

To note the Cabinet response to the recommendations arising from the scrutiny review of Covid-19 Care Home Safety.

16. THRIVING NEIGHBOURHOODS - UPDATES FROM WARD COUNCILLORS FOR HOOBER (Pages 207 - 208)

To receive updates from ward councillors from Hooper on the activities supporting Thriving Neighbourhoods across the Borough.

17. THRIVING NEIGHBOURHOODS - UPDATES FROM WARD COUNCILLORS FOR WATH (Pages 209 - 210)

To receive updates from ward councillors from Wath on the activities supporting Thriving Neighbourhoods across the Borough.

18. NOTICE OF MOTION - GRANGE PARK - ACCESS

Notice of Motion – Grange Park - Access

To be moved by Councillor Ian Jones and seconded by Councillor Rob Elliott:

That this council notes:

Over the last three decades, patrons of the Grange Park have had unfettered access to all its amenities, its wildlife, its amazing dog walks and its natural beauty. The main demographic of park users is pension aged walkers including ramblers using the trans Pennine trail which crosses the site and the young children from 5 to 15 using the junior football academy. Recent events have now reduced the park to a mucky dirt track and created a dangerous environment for the young footballers, spectators, and walkers alike.

The council believes that:

Since 1929, several access routes have criss-crossed the land and have been used to access the former colliery, the park, and the landfill. Of these routes only four have ever been referred to in conveyancing documents. Currently according to the land registry, no maps are filed against these. In 1973, the Council purchased the land from the NCB which formed part of the old colliery and its access. The land was purchased to form a public park for the recreation of the residents of Rotherham. In 2001, the Council agreed a right of access as part of a lease agreement with Millmoor juniors and resurfacing works were commissioned by RMBC at the request of Millmoor Juniors to complete an accessway which ran along their boundary. It was also used between 1994 and 1997 with the Councils permission, by the current owner of Grange landfill LTD, the then contractor of Watsons Estates to speed up the re instatement of the toxic tip site. This same site owner is now claiming an access right under the "doctrine of lost modern grant". However, the public of Rotherham West believe that the evidence provided by the company to meet the threshold for a right of access "on a balance of probabilities" the 51% test, has not been reached, however the Council refuses to share the Legal opinions. Despite documentation existing that shows a "legal right of way" existed since the 1930s under the "iron bridge" the company is attempting to confuse the access right, we believe that this is because although legal, it is not in a usable condition.

This council resolves that:

Mirroring the thoughts and wishes of the residents of Droppingwell, Blackburn and Kimberworth, this council should undertake an immediate review of all the evidence provided to the Council by the company and set out in a public

document why they believe it gives the company a right of access under the “doctrine of modern lost grant”. The council should then undertake a public meeting to consult and take on board the vast knowledge of the public, which up to now it has failed to engage or consider. If an undisputable right cannot be proven on balance of probabilities, the Council will request that the company provide any further evidence that they believe proves a right and the Council will set out in a public document why they believe the Company has a right of access if the Council continue to believe that they do have one.

19. NOTICE OF MOTION - TOBACCO CONTROL

Notice of Motion – Tobacco Control

To be moved by Councillor David Roche and seconded by Councillor David Sheppard

This Council notes that:

- There has been a significant reduction in the number of people smoking, and there have been improvements in the services designed to assist with smoking cessation. Rotherham can be very pleased with the progress it has made in areas such as the reduction in the % of pregnant women smoking, in the impact of the new tobacco working group. We understand our progress is better than in many other areas. Despite those, smoking remains the single largest driver of health inequalities and poor health in Rotherham, where – in common with the rest of the UK – it is the leading cause of cancer and preventable and early death. We know that that we have been successful, but we also know there is more to be done
- Preventable disease continues to have a massive impact on the public’s health, the NHS and the economy.
- Decades of comprehensive policy action have meant adult smoking prevalence in the UK in 2019 was at a record low at 14.1%, but this masks significant inequality.
- Differences in smoking rates make it one of the leading drivers of health inequalities, responsible for half the difference in life expectancy between the lowest and highest income groups in England.
- Smoking is estimated by Action on Smoking and Health (ASH) to cost society £17bn annually for England, £2.4bn of which falls to the NHS.
- That through their public health duties, local authorities are responsible for improving the health of their population and do this through services such as stop smoking services and wider tobacco control activities.

This Council:

- Believes that local government must be adequately resourced to fulfil their public health duties and that the Council will make representations through Cancer Research and ASH to push for this to happen. Furthermore as part of this, the Council calls upon the three Rotherham MP’s to seek to improve funding for Public Health from the Government
- Supports Cancer Research UK’s calls for a Smokefree Fund (a fixed annual charge on the tobacco industry, making the tobacco industry pay for the damage their products cause, without being able to influence how the funds

are spent) to fund local tobacco control work, and urges the UK Government to consider implementing a Smokefree Fund as part of its efforts to reach the Smokefree 2030 target and tackle health inequalities. By supporting this motion we will be joining others in a Cancer Championships network to help to provide more weight and support to Cancer Research UK to achieve their aim

Therefore, this Council will:

- Ask Trading Standards and the Police in Rotherham whether ways can be found to further crack down on illegal tobacco sales. Also to work with Trading standards and Public Health to investigate if anything can be done re the “positive and open “way vaping is advertised/displayed with at the very least calling upon Vapour outlets to consider how they portray their wares that might encourage youngsters to start vaping
- Call upon Children and Young People’s Services to work with schools to see how they can provide further information and preventive work to warn of the dangers of vaping and smoking; in doing so to support youngsters to give up vaping whilst at the same time warning of the dangers of taking up vaping as a choice rather than as a measure to aid smoking cessation
- Calls upon South Yorkshire ICS, to provide more support and a unified approach to those wishing to give up smoking in our region.

Background / supporting information

- The Prevalence of smoking in Rotherham is significantly higher than for all-England. Approximately 16.9% of Rotherham adults (around 35,400 people) were smokers in 2021 compared to 13.0% nationally.
- From 2017-19, there were 1,272 smoking attributable deaths in Rotherham – a rate of 271 deaths per 100,000 population. This is significantly worse than the England rate of 202 or the Yorkshire and the Humber rate of 239 deaths per 100,000 population
- An estimated 13,836 Disability Adjusted Life Years (DALYs) in Rotherham were caused by smoking in 2019 alone. This accounts for 16% of all DALYs in Rotherham - making smoking the single greatest contributor to the total burden of disease locally.
- Rotherham performs significantly worse than all-England for most indicators used to monitor the impact of smoking on population health.

Indicator	Rotherham	All England
Smoking attributable hospital admissions: Directly standardised rate per 100,000 population (2019/20)	2,023	1,398
Smoking attributable deaths: Directly standardised rate per 100,000 population (2017-19)	271	202
Smoking at time of delivery (2021/2)	12.8%	9.1%

- Smoking is the single largest driver of health inequalities in England. The

- more disadvantaged someone is, the more likely they are to smoke and to suffer from smoking-related disease and premature death.
- Rates of smoking are considerably higher amongst some groups, including:
 - People who work in routine and manual occupations
 - People from lower socioeconomic groups
 - People with long term mental health conditions
 - People with drug and alcohol additions
 - People from some ethnic groups, including mixed ethnic groups and white British populations
 - LGBTQI+ people
 - Inequalities in Rotherham that are more pronounced than seen nationally. For example, the odds of smoking amongst routine and manual workers in Rotherham are 2.45 times those of the general population, compared to an odds ratio of 2.22 nationally (2020 data).

Local tobacco control

Rotherham has a multi-agency Tobacco Steering Group which oversees delivery of plans to address local tobacco control actions. The action plan and a range of indicators monitoring progress were recently presented to Health and Wellbeing Board in January. The action plan is aligned against five strategic aims designed to deliver a smokefree Rotherham by 2030 (<5% prevalence), which have been based on national evidence of [good practice](#) and recommendations from the Government's [The Khan Review](#):

- *Strategy and Coordination.* Deliver a coordinated tobacco control policy, strategy, governance and monitoring system
- *Quit for good.* Encourage and support smokers to quit for good
- *Enforcement.* Tackle suppliers of cheap, counterfeit, and illicit tobacco and nicotine-containing-products through delivery of effective enforcement
- *Reduce variation* in smoking rates by tackling inequalities
- *Stop the start.* Reduce the number of people taking up smoking, particularly young people

As part of this work an e-cigarette position statement has been developed to generate consensus on how to ensure that there is access to e-cigarettes as an effective harm reduction tool and quitting aid for existing smokers, without inadvertently contributing to a growth in the uptake of vaping amongst non-smokers (especially children and young people) through normalisation, or glamorisation of vaping.

Smoking cessation services are provided in the community, currently through Get Healthy Rotherham, and also as part of NHS services, including QUIT programme in hospitals and a service for pregnant women. Illicit tobacco work is undertaken through the Trading Standards team.

Investment in tobacco control is highly cost effective. Every £1 spent on smoking cessation services estimated to deliver a saving of £10 in future health care costs and health gains. Despite this, there has been a national and local decline in spending on tobacco control. In Rotherham, spend on tobacco control per head of population fell by 49% between 2013 and 2018 within the

context of overall cuts in PH spending.

20. AUDIT COMMITTEE (Pages 211 - 224)

To receive and consider reports, minutes and recommendations of the Audit Committee.

To confirm the minutes as a true record.

21. LICENSING BOARD SUB-COMMITTEE (Pages 225 - 226)

To receive and consider reports, minutes and recommendations of the Licensing Board Sub-Committee.

To confirm the minutes as a true record.

22. PLANNING BOARD (Pages 227 - 232)

To receive and consider reports, minutes and recommendations of the Planning Board.

To confirm the minutes as a true record.

23. MEMBERS' QUESTIONS TO DESIGNATED SPOKESPERSONS

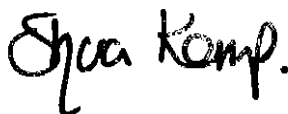
To put questions, if any, to the designated Members on the discharge of functions of the South Yorkshire Police and Crime Panel, South Yorkshire Fire and Rescue Authority, Barnsley, Doncaster, Rotherham and Sheffield Combined Authority and South Yorkshire Pensions Authority, in accordance with Council Procedure Rule 11(5).

24. MEMBERS' QUESTIONS TO CABINET MEMBERS AND CHAIRPERSONS

To put questions, if any, to Cabinet Members and Committee Chairpersons (or their representatives) under Council Procedure Rules 11(1) and 11(3).

25. URGENT ITEMS

Any other public items which the Mayor determines are urgent.



SHARON KEMP,
Chief Executive.

**The next meeting of the Council will be on
Friday 19 May 2023 at 2.00 p.m.**